

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
OCTOBER 9, 1995
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:03 p.m. Mayor Golding asked City Manager McGrory to make a very special presentation recognizing the outstanding job the Environmental Services Department has done this year. Mr. McGrory presented the City's Park and Recreation Chairman, Terence Curren, a check for \$66,076.12 for the collection of 879 tons of recyclable materials. This check will go back across the City to Recreation Centers and Recreation Councils so they can pay for very critical programs being supported throughout the communities. Mr. McGrory recognized Lance Vargus, who drives to each park to collect the materials, Alex P. Gonzalez, the Area Collection Supervisor, and Recycle Specialists for the program, Janet Whited and John Theroux, who helped each park to design and maintain their collection areas. Mayor Golding adjourned the meeting at 3:41 p.m. into Closed Session at 9:00 a.m. on Tuesday, October 10, 1995, in the twelfth floor conference room to discuss existing and anticipated litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Harvey-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present
Clerk-Abdelnour (pr)

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Harvey-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present

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(8) Council Member Vargas-present

Oct-9-1995 RECORDER=pr

ITEM-10: INVOCATION

Invocation was given by the City Clerk, Chuck Abdelnour.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding "Separation of Powers."
Mr. Stillwell referenced the Constitution and the separation
of "Powers" for the different government branches, and that
the "Powers" should be separate and distinct.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A022-046.)

ITEM-PC-2:

Comment by Paul Nestor regarding South Mission Beach need
for security, and the previous request for the City
Council's help meeting those needs. Mr. Nestor and 12
friends took out an ad in the "Beach & Bay Press" thanking
Mayor Golding, Council Members, Chief Sanders and the 1995
Police Beach Team for their help and support with the
security needs of South Mission Beach. Mr. Nestor stated
the improvement has been tremendous with the Mayor and
Council's help.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A048-063.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Mathis recognizing Cub Scouts of Pack 667 from Rancho Penasquitos along with their Pack Leader. Mayor Golding asked Council Member Mathis to bring the Cub Scout Pack up to the dias to see how the Council voted.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A066-083.)

ITEM-CC-2:

Comment by Council Member Harvey recognizing former City Manager Mr. Blair and Sue Blair for their contributions to the City.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A086-088.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
09/18/95
09/19/95 Adjourned
09/25/95 Adjourned
09/26/95 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A120-130.)

MOTION BY STEVENS TO APPROVE. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea

ITEM-31:

SUBJECT: Recognizing Josiah L. Neeper.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-344) ADOPTED AS RESOLUTION R-286393

Encouraging all San Diegans to join in commending Josiah L. Neeper on his exemplary contributions to San Diego and conveying best wishes for his continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A133-212.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: YWCA Week Without Violence.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-339) ADOPTED AS RESOLUTION R-286394

Proclaiming October 15 through 22, 1995 to be "YWCA Week Without Violence" in San Diego, and endorsing and supporting the efforts of YWCA to develop creative solutions and alternatives to violence.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A213-333.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Sergeant Anne O'Dell Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-275) ADOPTED AS RESOLUTION R-286395

Recognizing the outstanding contributions that Sergeant Anne O'Dell has made to improving the lives of all San Diegans; Proclaiming October 10, 1995 to be "Sergeant Anne O'Dell Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A416-B055.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34:

SUBJECT: Domestic Violence Awareness Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-267) ADOPTED AS RESOLUTION R-286396

Recognizing the outstanding contributions that the San Diego Domestic Violence Council has made to improve the lives of all San Diegans; Proclaiming Thursday, October 12, 1995 to be "Domestic Violence Awareness Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A335-383.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Amendment to the Municipal Code Vesting Requirements of Legislative Officers' Retirement Plan to Reflect the Changes to

City Council Terms for 1993 and 1995 Elections.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-38) INTRODUCED, TO BE ADOPTED ON OCTOBER 30, 1995

Introduction of an Ordinance amending Chapter II, Article 4, Division 5-C, of the San Diego Municipal Code by amending Section 24.0545, relating to Legislative Officer Age and Service Requirements for Retirement.

CITY MANAGER SUPPORTING INFORMATION:

The Legislative Officers' Retirement Plan requires that a legislative member be employed with the City for a minimum of four years to qualify for retirement benefits. With the passage of Proposition E in the November 3, 1992 election, Councilmembers elected in 1993 and 1995 will serve three year terms so that Council district elections will synchronize with California State elections by the year 1998. It is recommended that the vesting requirements for legislative members be amended by adopting the proposed ordinance so that Councilmembers elected in 1993 and 1995 who serve three year terms are eligible for retirement benefits as described in the proposed ordinance. The Retirement System's actuary has reviewed the impact of reducing the vesting requirement for this period and advised that the result would be a de minimus increase in legislative benefits.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51:

SUBJECT: Incorporation of the Annual Limit on Compensation for Contribution and Benefit Purposes Required by the Internal Revenue Code.

RETIREMENT BOARD'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-45) INTRODUCED, TO BE ADOPTED ON OCTOBER 30,
1995

Introduction of an Ordinance amending Chapter II, Article 4, Division 10, of the San Diego Municipal Code by amending Section 24.1010, relating to compliance with Internal Revenue Code Provisions.

SUPPORTING INFORMATION:

IRC Section 401(a)(17) provides an annual limit on the compensation which may be considered by a tax qualified plan for pension plan purposes. The City Employees' Retirement System (SDCERS), the Supplemental Pension Savings Plans (SPSP) and 401(k) are qualified plans which are subject to changes in federal tax law pursuant to the Omnibus Budget Reconciliation Act of 1993 (OBRA 93). OBRA '93 amended Internal Revenue Code (IRC) Section 401(a)(17) to reduce the amount of annual compensation which may be considered for pension plan purposes from \$200,000 as indexed (\$235,840 in 1993) to \$150,000 in 1994, with limited future indexing. Qualified plans must expressly limit the amount of compensation that they take into account for purposes of calculating allocations or accruals, even if there are no participants whose compensation presently exceeds the limits mandated by IRC Section 401(a)(17). Public and private sector plans which do not contain the limitations mandated by IRC Section 401(a)(17) are required to amend their plans accordingly. OBRA '93 also permits public sector plans to grandfather the use of compensation limits specified in the plan as of July 1, 1993 for employees hired before the plan year beginning in 1996. For the SPSP and 401(k) plans, the limit specified in those plans as of July 1, 1993 was \$235,840. For SDCERS, no limit was specified. As such, there is no limit for grandfathered employees in this plan. In order to take advantage of the grandfather provision, SDCERS, the SPSP and 401(k) plans must be amended before the plan year beginning in 1996 to incorporate the limits mandated by IRC Section 401(a)(17) as amended by OBRA '93. The amendments for the 401(k) and SPSP plans are set forth in a separate resolution. The grandfather does not apply unless these plans are amended to add the new \$150,000 limit for employees who become members of these plans after 1995. Failure to adopt this amendment will result in all participants being subject to the new lower limits effective with plan years beginning in 1996. The proposed amendment is not subject to a vote of the active members pursuant to Charter Section 143.1 because the required reduction in the annual compensation limit mandated by IRC Section 401(a)(17) does not affect the benefits of any current employee under the Retirement system, but rather those future

employees who become members of the Retirement System on or after January 1, 1996. The City Manager, The Retirement Board and the City Attorney recommend approval of this amendment.

NOTE: See Item 100 for a companion item.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Amending the SPSP, SPSP-M, SPSP-H, and 401(K) Plans to Incorporate the Annual Limit on Compensation for Contribution and Benefit Purposes.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-314) ADOPTED AS RESOLUTION R-286397

Amending the SPSP, SPSP-M, SPSP-H and 401(k) plans to incorporate the annual limit on compensation for contribution and benefit purposes required by Section 401(a)(17) of the Internal Revenue Code as amended by the Omnibus Budget Reconciliation Act of 1993, including the grandfather provision for current members.

CITY MANAGER SUPPORTING INFORMATION: IRC Section 401(a)(17) provides an annual limit on the compensation which may be considered by a tax qualified plan for pension plan purposes. The City Employees' Retirement System (SDCERS), the Supplemental Pension Savings Plans (SPSP) and 401(k) are qualified plans which are subject to changes in federal tax law pursuant to the Omnibus Budget Reconciliation Act of 1993 (OBRA '93). OBRA '93 amended Internal Revenue Code (IRC) Section 401(a)(17) to reduce the amount of annual compensation which may be considered for pension plan purposes from \$200,000 as indexed (\$235,840 in 1993) to \$150,000 in 1994, with limited future indexing. Qualified plans must expressly limit the amount of compensation that they take into account for purposes of calculating allocations or accruals, even if there are no participants whose compensation presently

exceeds the limits mandated by IRC Section 401(a)(17). Public and private sector plans which do not contain the limitations mandated by IRC Section 401(a)(17) are required to amend their plans accordingly. OBRA '93 also permits public sector plans to grandfather the use of compensation limits specified in the plan as of July 1, 1993 for employees hired before the plan year beginning in 1996. For the SPSP and 401(k) plans, the limit specified in those plans as of July 1, 1993 was \$235,840. For SDCERS, no limit was specified. As such, there is no limit for grandfathered employees in this plan. In order to take advantage of the grandfather provision, SDCERS, the SPSP and 401(k) plans must be amended before the plan year beginning in 1996 to incorporate the limits mandated by IRC Section 401(a)(17) as amended by OBRA '93. The proposed amendment for SDCERS is set forth in a separate ordinance. The grandfather does not apply unless these plans are amended to add the new \$150,000 limit for employees who become members of these plans after 1995. Failure to adopt this amendment will result in all participants being subject to the new lower limits effective with plan years beginning in 1996. The proposed amendment is not subject to a vote of the plan participants because it implements changes to bring the plans into conformance with federal tax law. The City Manager and the City Attorney recommend approval of this plan amendment.

Herring/Gonzalez/LEC

NOTE: See Item 50 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-101:

SUBJECT: Results of the San Diego Municipal Primary Election.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-96-328) ADOPTED AS RESOLUTION R-286398

Declaring the results of the Municipal Primary Election held in the City of San Diego on Tuesday, September 19, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055; A493-500.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

*** ITEM-102:**

SUBJECT: San Diego Gas & Electric Company Easement Grant - Palm Promenade Project. (Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-310) ADOPTED AS RESOLUTION R-286399

Authorizing the execution of a deed conveying to San Diego Gas & Electric Company an easement in Lots A and B of Palm Promenade, Map-13071, for electric service to the Palm Promenade subdivision in Otay Mesa.

CITY MANAGER SUPPORTING INFORMATION:

On November 23, 1993, in order to comply with City Council conditions for Tentative Map TM-92-0736, Palm Promenade Subdivision in Otay Mesa, the City granted SDG&E and Gatlin Development Company permission to make utility improvements. The utility improvements run 700 feet along the easterly line of Dennerly Road at three separate locations. These are City owned designated open space lands. At this time, SDG&E is requesting an easement grant for the above mentioned utility improvements. The Park & Recreation Department has no objections to this easement grant.

FILE LOCATION: DEED F-6585 DEEDFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea

Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Two actions related to the Final Subdivision Map of Carmel Mountain Ranch Unit 18. (A 21-lot subdivision located east of Carmel Mountain Ranch. Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-305) ADOPTED AS RESOLUTION R-286400

Authorizing a Subdivision Improvement Agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-96-278) ADOPTED AS RESOLUTION R-286401

Approving the final map.

FILE LOCATION: SUBD-Carmel Mountain Ranch Unit 18
CONTFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Two actions related to the Final Map of Monarch Estates Unit No. 5. (A 37-lot subdivision located on the north side of Sorrento Valley Boulevard, east of I-805. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-289) ADOPTED AS RESOLUTION R-286402

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-B: (R-96-288) ADOPTED AS RESOLUTION R-286403

Approving the final map.

FILE LOCATION: SUBD-Monarch Estates Unit No. 5
CONFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-105:

SUBJECT: LSCA Teen Health Center Grant Application.

(Valencia Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-301) ADOPTED AS RESOLUTION R-286404

Authorizing the City Manager or his designee to apply for, accept, and administer grant funds from the California State Library's Library Services and Construction Act (LSCA) Title I and III grant funds to create a Teen Health Center at the Malcolm X Library and Performing Arts Center, Valencia Park Branch, with a satellite component at the Beckwourth Branch Library, so that area youth will have a safe environment to explore public health issues such as AIDS/HIV, teen pregnancy, and drug and alcohol prevention strategies.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library is requesting authorization to apply for a California State Library's Library Services and Construction Act (LSCA) Title I and III grant that will create a Teen Health Center at the Malcolm X Library and Performing Arts

Center, Valencia Park Branch, with a satellite component at the Beckwourth Branch. The Teen Health Center will create a safe environment for area youth to explore public health issues like HIV/AIDS, teen pregnancy, and drug and alcohol prevention strategies. The Center will also offer area youth leadership opportunities by creating a Teen Advisory Council which will select after-school programming and help with collection development. This grant will fund a full-time Program Coordinator, outreach kits to be created by the Teen Advisory Council for area youth aged 15-18, books and materials to make the Center a valuable resource within the Valencia Park community. The Program Coordinator position will coordinate after school programs, work with area youth to create displays, order appropriate materials and books to support topics of interest to the area youth and work with community based organizations and community members to generate support for the Center.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A606-B037; B074-290.)

MOTION BY KEHOE TO ADOPT THE CITY MANAGER'S RECOMMENDATION TO INCLUDE ONCE THE GRANT HAS BEEN RECEIVED FOR THREE QUARTERS OF A YEAR, THAT A REVIEW COME BEFORE COMMITTEE TO 1) OBSERVE IF THERE HAS BEEN INCREASED ATTENDANCE AT THE MALCOM X LIBRARY AND 2) TO REVIEW THE TYPE OF INFORMATION AND MATERIALS BEING DISTRIBUTED THERE. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-nay, Kehoe-yea Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Born to Read Grant Program.
(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-302) ADOPTED AS RESOLUTION R-286405

Authorizing the City Manager or his representative to apply for, accept, and administer grant funds from the American Library Association (ALA) to establish a national demonstration site at the Otay Mesa Branch Library for the Born to Read Program.

CITY MANAGER SUPPORTING INFORMATION:

The American Library Association (ALA) will be selecting five national demonstration sites to establish linkages between local public libraries and health care providers. This partnership will help at-risk expectant parents improve their reading skills and help to impress upon them the importance of reading aloud to their children. The partnership will also work to raise general public awareness of the wide range of information available at public libraries. The Otay Mesa Branch Library will partner primarily with the Kaiser-Permanente Bonita birthing clinic, and secondarily with San Diego County Infant Immunization Initiative and the San Diego Nutrition Council. A special "Welcome Home" kit will be provided to all new parents. The kit will contain information on parenting resources in both Spanish and English. It will also have "Baby's First Library Card" and immunization information as well as information and resources made available by Kaiser-Permanente. Parents will be instructed to initialize "Baby's First Library Card" at the Otay Mesa Branch where they will tour the library and be introduced to a series of programs designed to improve parent reading skills and offer health and nutrition information in a supportive environment. The grant will be used to purchase the free picture book given to parents who initialize "Baby's First Library Card," the outreach materials to be included in the "Welcome Home" kit, a CD-Rom workstation for interactive learning by parents and books and materials for a Parenting Resource Center.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-107:

SUBJECT: Additional Funding for the Linda Vista Community Park Recreation Center. (Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-300) ADOPTED AS RESOLUTION R-286406

Authorizing the Auditor and Comptroller to transfer not to exceed \$10,000 from CIP-29-812.0, Linda Vista Community Park - Parking Lot Expansion, to CIP-29-815.0, Linda Vista Community Park Recreation Center Reroof, Fund No. 18529, Community Development Block Grant; Authorizing the expenditure of not to exceed \$10,000 from CIP-29-815.0, Linda Vista Community Park Recreation Center Reroof, Community Development Block Grant Fund No. 18529, to supplement funds previously authorized for the Linda Vista Community Park Center Reroof.

CITY MANAGER SUPPORTING INFORMATION:

The Linda Vista Community Park Recreation Center reroofing has been completed. An additional \$10,000 is needed for change orders processed during construction of the project. Change orders were needed due to changes in the scope of work as a result of unforeseen site conditions. Changes in the scope of work were necessary to eliminate ponding, and included removal and disposal of existing built-up roofing, and replacement with plywood sheathing, insulation, base sheeting and protection board prior to application of new roofing material.

Aud. Cert. 9600286.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B292-430.)

MOTION BY WARDEN TO ADOPT THE CITY MANAGER'S RECOMMENDATION WITH THE DIRECTION TO IMPLEMENT A POLICY THAT NOTIFIES THE MAYOR AND COUNCIL MEMBERS WHEN CHANGES ARE MADE IN CDBG ALLOCATIONS. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-108:

SUBJECT: Two actions related to Encanto (Marie Widman)
Neighborhood Park Improvements.
(Skyline-Paradise Hills, South Encanto Neighborhood
Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-303 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-286407

Authorizing the Auditor and Comptroller to transfer surplus City-wide grant funds in an amount not to exceed \$27,000 from CIP-22-082.0, Tecolote Shores Play Area, Proposition 70 Fund No. 38019, to CIP-29-443.0, Encanto Neighborhood Park Improvements; and to transfer not to exceed \$3,412 from CIP-29-464.0, Encanto Neighborhood Park - Acquisition, Capital Outlay Fund No. 30245, to CIP-29-443.0, Encanto Neighborhood Park Improvements; Authorizing the expenditure of not to exceed \$30,412 from CIP-29-443.0, Encanto Neighborhood Park Improvements, to supplement funding previously authorized on January 18, 1994.

Subitem-B: (R-96-304) ADOPTED AS RESOLUTION R-286408

Stating for the record that the information contained in the final Negative Declaration EQD-88-1054, including any comments received during the public review process, has been reviewed and considered by Council in connection with improvements to Encanto Neighborhood Park.

CITY MANAGER SUPPORTING INFORMATION:

Encanto Neighborhood Park is a 7.2 acre site located at 6715 Imperial Avenue between Woodman Street and 68th Street. The project, designed in 1988, provided an open turf area, a tot lot, pedestrian access, drainage channel improvements, landscaping and irrigation improvements and removed an old comfort station. Surplus City-wide Playground Equipment (Proposition 70) grant funds are being added to the project to cover a change order. The additional work will bring the park into compliance with current Federal disabled access regulations. The improvements will consist of a concrete walkway leading to two picnic tables, one new pedestrian ramp located adjacent to the westerly located pedestrian bridge. A parking space for the disabled will be designated on Imperial Avenue next to the new pedestrian ramp. Also, resilient surfacing will be installed around a new slide to accommodate disabled users. Additionally, the contractor will be paid for extra work performed on the park's drainage system.

Aud. Cert. 9600246.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B435-475.)

MOTION BY STEVENS TO ADOPT THE CITY MANAGER'S RECOMMENDATION

AS AMENDED TO REQUEST THE CITY MANAGER COME BACK WITH A FINANCING PLAN TO INCLUDE THE CONSTRUCTION OF COMFORT STATIONS AT THE ENCANTO NEIGHBORHOOD PARK FOR THE HANDICAPPED, AND OTHER USERS OF THE PARK. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-109: RETURNED TO CITY MANAGER

SUBJECT: Two actions related to Mission Trails Regional Park Visitors Center. (Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-323)

Authorizing the Auditor and Comptroller to transfer not to exceed \$129,000 from CIP-20-010.0, Annual Allocation - Resource Based Open Space Parks, Environmental Growth Fund No. 10505, to CIP-29-680.0, Mission Trails Regional Park Visitors Center, Mission Trails Regional Park; Authorizing the expenditure of not to exceed \$129,000 from CIP-29-680.0, Mission Trails Regional Park Visitors Center, Mission Trails Regional Park, to supplement funds previously authorized by Council in Resolution No. R-282078, adopted on July 7, 1993.

Subitem-B: (R-96-355)

Stating for the record that the information contained in the final Environmental Impact Report DEP-90-0980, including any comments received during the public review process, has been reviewed and considered by the City Council as Lead Agency, in connection with the Mission Trails Regional Park Visitors Center.

CITY MANAGER SUPPORTING INFORMATION:

The Visitor and Interpretive Center is located at One Father Juniper Serra Trail, within the Mission Trails Regional Park. The current project provided a Visitor and Interpretive Center, parking lot, hard scape, amphitheater, irrigation system, landscaping and exhibits. This project began construction with 3.4 percent contingencies and zero dollars for equipment and

furnishings. The project is now complete and additional funding is required in order to increase the contingencies to 5.4 percent to cover change orders, and provide funding for equipment and furnishings. Change orders consist of providing additional soil amendments to and testing of the landscaped areas, providing additional fire alarm pull stations, relocating handholes and stubouts for Pacific Bell and Cox Cable, upgrading the storm drain system, providing panic hardware for exit doors and other required changes to the contract documents. The additional funding will allow for pending change orders to be processed and bring the project within budget.

Aud. Cert. 9600339.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO RETURN TO THE CITY MANAGER FOR FURTHER REVIEW. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: India Street Sidewalk.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-330) ADOPTED AS RESOLUTION R-286409

Amending the FY 96 Capital Improvements Program Budget by adding CIP-52-630.0, India Street Sidewalk; Authorizing the expenditure of not to exceed \$70,000 from CIP-52-630.0, India Street Sidewalk, Community Development Block Grant Fund 18531; Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in the project until completion.

CITY MANAGER SUPPORTING INFORMATION:

The City maintains an on-going program to promote safety within the public right-of-way. The Traffic Engineering Division has

identified India Street as a location in critical need of a sidewalk. This project will install a sidewalk and necessary drainage improvements on India Street at the intersection with the unimproved portion of Walnut Avenue.

Aud. Cert. 9600344.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Request for Additional Funds for Safety All-Weather Walkways, Various Locations - Contract 3.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-295) ADOPTED AS RESOLUTION R-286410

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$18,000 from CIP-62-279.0, Annual Allocation - Neighborhood Traffic Safety Program, TransNet Fund 30300 to CIP-52-327.3, Safety All-Weather Walkways, Various Locations - Contract 3, TransNet Fund 30300; Authorizing the expenditure of an amount not to exceed \$198,000 from CIP-52-327.3, Safety All-Weather Walkways, Various Locations - Contract 3, TransNet Fund 30300; Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The City maintains an on-going program to promote safety within the public right-of-way. This project constructed Safety All-Weather Walkways at the most critical locations where walkways are required to provide safety for school children and students. An additional walkway location on Lisbon Street

between 71st Street and Porter Street was added to this project. To complete this project, an additional \$18,000 is required to cover the costs of this walkway, the closing change order, and other related engineering charges.

Aud. Cert. 9600307.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Mid-City Community Clinic Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-265) ADOPTED AS RESOLUTION R-286411

Recognizing the outstanding contributions that the Mid-City Community Clinic, the Board of Directors, and the staff have made to improving the lives of all San Diegans; Proclaiming Thursday, October 12, 1995 to be "Mid-City Community Clinic Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Two actions related to Balboa Park - Starlight Bowl Stagehouse Project. (Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-321) ADOPTED AS RESOLUTION R-286412

Approving the Stagehouse Project for the Starlight Bowl, as approved by the Balboa Park Committee, the Design Review Committee, the Park and Recreation Board, and the Historical Site Board.

Subitem-B: (R-96-322) ADOPTED AS RESOLUTION R-286413

Certifying that the information contained in Environmental Impact Report DEP-94-0662, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the report reflects the independent judgement of the City of San Diego as Lead Agency; that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of the Starlight Bowl Stagehouse Project.

CITY MANAGER SUPPORTING INFORMATION:

On May 9, 1994 Council approved a \$1,273,360 reimbursement agreement between the City and the San Diego Civic Light Opera Association (SDCLOA) for improvements to the Starlight Bowl located in Balboa Park. SDCLOA has now completed the design and has finalized the required Environmental Impact Report (EIR) for a 4,700 sq.ft. stagehouse addition to be constructed in front of the existing bandshell. The stagehouse project has been approved by the Balboa Park Committee, the Design Review Committee, the Park and Recreation Board and the Historical Site Board. With Council approval of the project and certification of the EIR, SDCLOA anticipates starting construction of the bandshell in November, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Supplemental Environmental Impact Statement for the International Treatment Facilities in the South Bay Area. (See City Manager Report CMR-95-229. San Ysidro, Tijuana River Valley Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-294) ADOPTED AS RESOLUTION R-286414

Authorizing the City Manager to direct the City's existing as-needed environmental services consultant, Brian Mooney and Associates, to provide services for preparation of a Supplemental Environmental Impact Statement in connection with the International Treatment Facilities in the South Bay area; Declaring that the Task Authorization for the additional environmental services shall be in an amount not to exceed \$200,000; Directing the City Manager to arrange reimbursement from the federal government, via a State Defensive Measures Grant, of all costs of the additional environmental services.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)
CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Replacement of 1300 Linear Feet of Water Main at University Avenue. (Rolando Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-320) ADOPTED AS RESOLUTION R-286415

Authorizing the use of City Forces to replace 1,300 linear feet of water main at University Avenue between Cartagena Drive and Rolando Boulevard; declaring that the cost of the work shall not exceed \$96,500; Authorizing the expenditure

of not to exceed \$96,500 from Water Fund 41500,
CIP-73-083.0, Annual Allocation Water Main Replacement.

CITY MANAGER SUPPORTING INFORMATION:

The 6-inch water main at University Avenue between Cartagena Drive and Rolando Boulevard is deteriorated and has had numerous breaks (16 times). The replacement cannot wait for a regular replacement process. Therefore, City forces will replace approximately 1,300 feet of deteriorated sections of the main with new 8-inch PVC pipe.

Aud. Cert. 9600314.

WU-U-96-192.

FILE LOCATION: WATER-Water Main Replacement at
University Avenue

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Two actions related to Amendment No. 8 to the Agreement with Black & Veatch for the Sedimentation Basins 11 and 12 Project - South Effluent Outfall Channel. (Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-324) ADOPTED AS RESOLUTION R-286416

Authorizing an eighth amendment to the agreement with Black & Veatch for design and construction management services in connection with the Sedimentation Basins 11 and 12 Project - South Effluent Outfall Channel;

Authorizing the expenditure of not to exceed \$285,000 from Sewer Fund 41508, CIP-46-134.0, South Effluent Outfall Channel Project Engineering Services.

Subitem-B: (R-96-325) ADOPTED AS RESOLUTION R-286417

Stating for the record that Mitigated Negative Declaration DEP-91-0889, including any comments received during the public review process, has been reviewed and considered by the City Council as Lead Agency, in connection with the Point Loma Sedimentation Basins 11 and 12 Project - South Effluent Outfall Channel.

CITY MANAGER SUPPORTING INFORMATION:

In 1990 the City entered into an agreement with Black & Veatch for engineering services for design of the Point Loma Sedimentation Basins 11 & 12 which included Effluent Channel modifications at the Point Loma Plant. Subsequent contract amendments were executed for the design scope for the Sedimentation Basins and South Effluent Outfall Channel (SEOC) Project, and for construction management services for the SEOC Project. The SEOC project is critical to the City and changes to the original scope of work for construction have been instituted by the City. These changes and other unknown conditions at the construction site have required time extensions to the construction contract and consultant contract for engineering services. Amendment No. 8 is needed for additional construction management and inspection services.

Aud. Cert. 9600336.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Two actions related to Water Participation Agreement with Calmat Company for Design and Construction of a Water Main in Rio Vista West. (Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-191) ADOPTED AS RESOLUTION R-286418

Authorizing a Water Participation Agreement with Calmat Company for design and construction of a water main in Rio Vista West; Authorizing the expenditure of not to exceed \$60,672 from Water Revenue Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, contingent on the City Manager's authorization of the expenditure and the City Auditor and Comptroller's certification of funding availability for this agreement.

Subitem-B: (R-96-192) ADOPTED AS RESOLUTION R-286419

Stating for the record that the information contained in Environmental Impact Report DEP-92-0586 and Mitigation, Monitoring and Reporting Program, including any comments received during the public review process, has been reviewed and considered by the Council, in connection with the design and construction of a water main in Rio Vista West.

CITY MANAGER SUPPORTING INFORMATION:

On December 7, 1993 by Resolution R-283174, the City Council approved Tentative Map TM-92-0586, a mixed-use development on the south side of Friars Road and the west side of Stadium Way. Conditions of approval of the Map required the developer, Calmat Company, a Delaware Corporation, to install water improvements necessary to serve the development. The Water Utilities Department determined that the public interest would be better served by the construction of a larger water line to serve other properties in the vicinity of the development. The City has asked Calmat to install 3,224 lineal feet of 16-inch water main instead of a 12-inch water main. Calmat has agreed, provided that the City pay the differential costs and the connection fee. The City finds that the public interest is served by the construction of these water facilities. After the City's acceptance of the facility, the City will reimburse the developer except that reimbursement shall not exceed \$60,672, the average of the differential cost between the 12 and 16-inch mains and the connection fee.

Aud. Cert. 9600300.

WU-U-95-178.

FILE LOCATION: WATER-Calmat Company CCONFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed

by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-118:

SUBJECT: Public Art Artist Agreement for the Point Loma
Wastewater Treatment Plant.

(See City Manager Report CMR-95-230. Peninsula
Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-331 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-286420

Authorizing an agreement with Mathieu Gregoire for public
art artist services for aesthetic development of the Point
Loma Wastewater Treatment Plant; Authorizing the
expenditure of not to exceed \$400,000 from Sewer Fund No.
41509, CIP-46-170.0, Point Loma - Digester Facility Upgrade
and Expansion.

Aud. Cert. 9600347.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B478-C134.)

MOTION BY HARVEY TO ADOPT THE CITY MANAGER'S RECOMMENDATION
AS AMENDED TO APPROVE \$169,000 FOR THE CONSULTANT TO DO THE
COMPREHENSIVE PLAN, AND TO ENCUMBER THE REMAINING \$231,000
TO ALLOW THE MATTER TO COME BACK BEFORE COUNCIL FOR
DISCUSSION AND APPROVAL IN MARCH. Second by Warden. Passed
by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea,
Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-119:

SUBJECT: Amendment No. 2 to the Agreement with Brian F. Mooney
Associates for As-Needed Environmental Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-254) ADOPTED AS RESOLUTION R-286421

Authorizing Amendment No. 2 to the Agreement of February 7, 1994 with Brian F. Mooney Associates for as-needed environmental services for the Metropolitan Wastewater Department; Authorizing the expenditure of not to exceed \$300,000 from Sewer Fund 41509, CIP-45-910.3, Program Planning and Studies; Authorizing the City Auditor and Comptroller, upon advice from the administering department, to reallocate appropriation and cost to those CIP projects where costs are incurred.

CITY MANAGER SUPPORTING INFORMATION:

The original agreement between the City and Brian F. Mooney Associates for as-needed environmental services was adopted February 7, 1994, by Resolution No. R-283375. The agreement was issued for a not-to-exceed amount of \$500,000 for a 36-month duration. Amendment No. 1 was a no-cost administrative change issued on April 5, 1994. The City has expended \$389,812, or 77 percent of the base funds in the first 7 months of the agreement due to MWWD program support requirements. Amendment No. 2 is requested to increase the not-to-exceed contract value by \$300,000 to \$800,000. Amendment No. 2 is requested due to immediate and near-term environmental services needs by MWWD such as the following:

- IBWC Supplemental Environmental Impact Statements
- North Metro Interceptor Environmental Surveys/Monitoring
- FIRP/NSPF Environmental Surveys/Monitoring
- North Metro Interceptor Phase II Environmental Documentation Review

MBE/WBE Utilization:

In keeping with the City's policy to voluntarily provide subcontracting opportunities to all interested and qualified firms, including minorities and women, Brian F. Mooney Associates has retained the following subconsultants as members of their engineering consultant team in connection with this project:

Certified Subconsultants:

Other Subconsultants MBE - Nieto Consulting Engineers

MBE - Tierra Environmental Services

WBE - Southland Geotechnical Consultants

Other Subconsultants:

Barrett Consulting Group

Linscott, Law & Greenspan

Paleoservices, Inc.

Skidmore Environmental

Due to the nature of the as-needed project, the percentage utilization of MBE/WBE subconsultants is dependent upon the tasks authorized by the City and the type of work required by those tasks.

Aud. Cert. 9600247.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A416-B055; A524-598.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Two actions related to Amendment No. 2 to the Agreement with Ogden Environmental & Energy Services, Inc. for Cultural and Biological Resources Monitoring at the San Pasqual Aquatic Treatment Facilities.

(San Pasqual Valley Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-326) ADOPTED AS RESOLUTION R-286422

Authorizing a second amendment to the agreement of June 8, 1992 with Ogden Environmental & Energy Services, Inc., for cultural and biological resources monitoring in connection with the San Pasqual Aquatic Treatment Facilities; Authorizing the Auditor and Comptroller to transfer not to exceed \$120,000 from the Water Fund Unallocated Reserve, Program Element 70679, to CIP-73-290.0, San Pasqual Reclamation Facility, and not to exceed \$120,000 from Sewer Fund Unallocated Reserve, Program Element 70697, to CIP-46-151.0, San Pasqual Reclamation Facility; Authorizing the expenditure of not to exceed \$240,000, consisting of \$120,000 from CIP-73-290.0, San Pasqual Reclamation Facility, and \$120,000 from CIP-46-151.0, San Pasqual Reclamation Facility.

Subitem-B: (R-96-327) ADOPTED AS RESOLUTION R-286423

Stating for the record that the information contained in the final Environmental Impact Report DEP-87-0750 and Addendum

DEP-89-0344, together with any comments received during the public review process, has been reviewed and considered by the City Council as Lead Agency, in connection with the San Pasqual Aquatic Treatment Facilities.

CITY MANAGER SUPPORTING INFORMATION:

On June 8, 1992, the City Manager entered into an agreement (Document No.C-04205) with Ogden Environmental to provide environmental monitoring services during construction of the San Pasqual Aquatic Treatment Facilities, Contracts Nos. 1 and 2. On May 31, 1994, the City entered into Amendment No. 1 to the Agreement (Resolution No. R-283982) for additional work required due to biological and cultural resources encountered during construction. This Amendment No. 2 covers the cultural resource significance testing required based on the artifacts uncovered in the Phase 1 work performed pursuant to Amendment No. 1. If the significance testing of any of the nine sites under investigation dictates mitigation, additional work over and above that covered in this Amendment No. 2 will be required.

Aud. Cert. 9600298.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A416-B055; A487-500)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Principles of Understanding for the Use of San Vicente and Hodges Dams and Reservoirs. (See City Manager Report CMR-95-217.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-283) ADOPTED AS RESOLUTION R-286424

Authorizing the City Manager to sign the Principles of Understanding with the San Diego County Water Authority, for the use of the San Vicente and Hodges Dams and Reservoirs in the Regional Emergency Storage Project; Authorizing the

City Manager to enter into negotiations with the San Diego County Water Authority to develop more detailed Joint Operation and Maintenance Agreements for the San Vicente and Hodges Dams and Reservoirs, based upon the Principles of Understanding.

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S
RECOMMENDATION:

On 9/13/95, NRC&A voted 3-0 to approve the City Manager's recommendation. (Councilmembers Stallings, Mathis, and McCarty voted yea. Councilmembers Harvey and Warden not present.)

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: CONTINUED TO OCTOBER 17, 1995

SUBJECT: Awarding a Contract to Soltek of San Diego for the Remodeling of the Office Building at 9601 Ridgehaven Court. (See City Manager Report CMR-95-231. Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-236)

Awarding a contract to Soltek of San Diego for the remodeling of the office building at 9601 Ridgehaven Court in the amount of \$2,318,100, per the base bid and selected additive and deductive alternates; Authorizing the additional expenditure of \$657,000 from the Environmental Services Enterprise Fund 41201, CIP-37-356.0, Waste Management Facility; total project costs will be \$3,287,813, including \$2,630,813 previously authorized by Resolution R-285970, dated June 26, 1995; Authorizing the City Manager to accept an amount up to \$230,000 in incentive payments and incremental financing from San Diego Gas & Electric Company for incorporating energy efficiency measures in the project; Authorizing the building to be

renovated as a "Green Building Demonstration Project."
(BID-K95213C)

Aud. Cert. 9600341.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO CONTINUE TO OCTOBER 17, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Inviting Bids and Authorizing a Contract for the North City Water Reclamation Plant - Final Site Work. (University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-22) ADOPTED AS RESOLUTION R-286425

Inviting bids for the North City Water Reclamation Plant - Final Site Work on Work Order No. 194567; Authorizing a contract with the lowest responsible bidder, contingent upon the City Auditor's certification of funding available for the contract; Authorizing the expenditure of \$7,081,000, from Sewer Fund No. 41509, CIP-42-910.1, North City Water Reclamation Plant, for the purpose of providing funds for the project construction, contingency and related costs, contingent upon the City Auditor's certification of funding available under established contract funding phases; Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves; Stating for the record that the previously certified Environment Impact Report DEP-91-0516 for the North City Water Reclamation Plant was reviewed and considered for this action. (BID-K96101)

CITY MANAGER SUPPORTING INFORMATION:

The Final Site Work (FSW) project is the fifteenth of several

construction contracts for the North City Water Reclamation plant (NCWRP). This contract includes the construction of roadways, and parking lots, sidewalks, curbs and gutters, mowcurbs, fencing and gates, earthwork, landscaping, irrigation, lighting, site maintenance, fire extinguisher, and identifying devices as well as site clean-up and trailers removal. The contract packaging for the Final Site Work has been completed. Mitigation measures related to this action have been incorporated into each package. At this time approval for bids and award of this package is requested. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with the federal grant provisions for this project the "fair share" goals are 8 percent combined MBE and/or WBE participation. The construction cost for this package currently is estimated as follows: Final Site Work: \$7,081,000
The Final Site Work construction contract will be phase funded.

FILE LOCATION: W.O. 194567; CONT - L. R. Hubbard
Construction Co. Inc. CONTFY96-1

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Carmel Mountain Ranch Community Council. (See memorandum from Councilmember Warden dated 9/11/95. District-5.)

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-96-293) ADOPTED AS RESOLUTION R-286426

Officially recognizing the newly formed Carmel Mountain Ranch Community Council, created in accordance with the requirements of Council Policy 600-24.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-B055.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed

by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:41 p.m. in
honor of the memory of Sue Emery as requested by Council
Member Barbara Warden.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C156.)